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11 and Counterclaim Plaintiff
12 YA YA LOGISTICS, INC.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OPULENT TREASURES, INC.

Plaintiff,

v.

YA YA LOGISTICS, INC., HK
JAYDEN TRADING, LTD., SUO VIVI
also known as SUI HUI, an individual,
and WIN BEST IMPORT AND
EXPORT CO., LTD.,

Defendants.

Case No. 2:22-cv-6137-SSS-JC

Consolidated with Case No. 2:22-cv-02616 and Case No. 2:23-cv-04292

**DEFENDANT YA YA LOGISTICS,
INC.'S SEPARATE STATEMENT
OF UNCONTROVERTED FACTS
AND CONCLUSIONS OF LAW IN
SUPPORT OF ITS MOTION FOR
SUMMARY JUDGMENT**

Judge: Hon. Sunshine S. Sykes

Hearing Date: August 1, 2025

Time: 2:00 pm

Courtroom: 2 (Zoom videoconference)

1 PURSUANT TO LOCAL RULE 56 AND THIS COURT'S SCHEDULING
2 AND CASE MANAGEMENT ORDER, COMES NOW DEFENDANT YA YA
3 LOGISTICS, INC. ("Ya Ya Logistics") and submits this Separate Statement of
4 Uncontroverted Facts and Conclusions of Law in support of its motion for
5 summary judgment.

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7 **STATEMENT OF UNCONTROVERTED FACTS**
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9 Undisputed Fact:	10 Evidence:
11 1. Plaintiff Opulent Treasures, Inc. 12 ("Opulent Treasures") alleges 13 infringement of a single trademark on 14 the Principal Register, U.S. Trademark 15 Reg. No. 5,912,235, by sales of 16 CHDLR_045 products of third-party 17 Ya Ya Creations, Inc.	18 D.N. 14 (First Amended Complaint) at p. 19 18, ¶ 76.
20 2. Opulent Treasures alleges 21 infringement of multiple common law trademarks by sales of certain products by third-party Ya Ya Creations, Inc.	22 D.N. 14 (First Amended Complaint) at ¶¶ 23 47, 99.
24 3. Opulent Treasures alleges 25 infringement of several copyrights for which it first obtained registrations in 2022 by sales of certain products by 26 third-party Ya Ya Creations, Inc.	27 D.N. 14 (First Amended Complaint) at ¶¶ 28 18, 65 and Exh A thereto.
29 4. Opulent Treasures has served no written discovery and taken no	30 Karish Dec., ¶ 2. 31

DEFENDANT YA YA LOGISTICS, INC.'S SEPARATE STATEMENT OF UNCONTROVERTED FACTS AND
CONCLUSIONS OF LAW IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

1 Undisputed Fact:	Evidence:
2 depositions with regard to this case 3 against Ya Ya Logistics.	
4 5. Opulent Treasures' only 6 response to Ya Ya Logistics' 7 Interrogatory No. 10 asking Opulent 8 Treasures to "describe in detail the 9 complete factual and legal bases for 10 YOUR contention that DEFENDANT 11 has infringed any applicable 12 copyrights" was "Opulent states that 13 discovery is ongoing, and it will 14 supplement its response to this 15 Interrogatory at a later date."	Karish Dec., ¶ 3, Exh. A (Opulent Treasures Inc.'s Responses to Ya Ya Logistics, Inc.'s First Set of Interrogatories), p. 8, line 27 – p. 9, line 6.
16 6. Opulent Treasures never 17 provided a further response to Ya Ya 18 Logistics' Interrogatory No. 10, and 19 no evidence supporting Opulent 20 Treasures copyright claim against Ya 21 Ya Logistics was ever disclosed.	Karish Dec., ¶ 4
22 7. Opulent Treasures only 23 response to Ya Ya Logistics' 24 Interrogatory No. 1 asking Opulent 25 Treasures to "describe in detail the 26 complete factual and legal bases for 27 YOUR contention that DEFENDANT	Karish Dec., ¶ 5, Exh. A (Opulent Treasures Inc.'s Responses to Ya Ya Logistics Inc.'s First Set of Interrogatories), p. 4, lines 6-14.

1 Undisputed Fact:	Evidence:
2 has infringed any applicable 3 trademarks or trade dress under federal 4 and state law" was "Opulent states that 5 discovery is ongoing, and it will 6 supplement its response to this 7 Interrogatory at a later date."	
8 8. Opulent Treasures never 9 provided a further response to Ya Ya 10 Logistics' Interrogatory No. 1, and no 11 evidence supporting Opulent 12 Treasures trademark claim against Ya 13 Ya Logistics was ever disclosed.	Karish Dec., ¶ 6.
14 9. Opulent Treasures' only 15 response to Defendant's Interrogatory 16 No. 11 asking Opulent Treasures to 17 "describe in detail the complete factual 18 and legal bases for YOUR contention 19 that DEFENDANT committed 20 counterfeiting" was "Opulent states 21 that discovery is ongoing, and it will 22 supplement its response to this 23 Interrogatory at a later date."	Karish Dec., ¶ 7, Exh. A (Opulent Treasures Inc.'s Responses to Ya Ya Logistics, Inc.'s First Set of Interrogatories), p. 9, lines 8-15.
24 10. Opulent Treasures never 25 provided a further response to Ya Ya 26 Logistics' Interrogatory No. 11, and	Karish Dec., ¶ 8

1 Undisputed Fact:	Evidence:
2 no evidence supporting Opulent 3 Treasures' counterfeiting claim against 4 Ya Ya Logistics was ever disclosed.	
5 11. Opulent Treasures refused to 6 produce a single document in response 7 to Defendant's requests for 8 production.	Karish Dec., ¶ 9, Exh. B (Opulent Treasures Inc.'s Responses to Ya Ya Logistics, Inc.'s First Set of Requests for Production of Documents).
9 12. Opulent Treasures has produced 10 no evidence that Ya Ya Logistics has 11 stored, distributed, offered for sale, or 12 advertised any of the products accused 13 of infringing Opulent Treasures' 14 alleged copyrights.	Karish Dec., ¶ 10.
16 13. Opulent Treasures has produced 17 no evidence that Ya Ya Logistics has 18 stored, distributed, offered for sale or 19 advertised any of the products accused 20 of infringing Opulent Treasures' 21 alleged trademarks.	Karish Dec., ¶ 11.
22 14. Opulent Treasures has produced 23 no evidence that Ya Ya Logistics has 24 stored, distributed, offered for sale or 25 advertised the products accused of 26 being counterfeits of Opulent 27 Treasures' U.S. Trademark	Karish Dec., ¶ 12.

1 Undisputed Fact:	2 Evidence:
3 Registration No. 5,912,235.	
4 15. Opulent Treasures has produced 5 no evidence that Ya Ya Logistics was 6 aware of any of Plaintiff's alleged trademarks or copyrights.	7 Karish Dec., ¶ 13.
8 16. Opulent Treasures has produced 9 no evidence showing any damage as a 10 result of Ya Ya Logistics, let any 11 quantification of what those damages 12 would be.	13 Karish Dec., ¶ 14.

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PROPOSED CONCLUSIONS OF LAW

1. There is no evidence sufficient to demonstrate a genuine issue of material fact that Ya Ya Logistics, Inc. infringed any alleged copyright of Opulent Treasures' either directly or indirectly.

2. There is no evidence sufficient to demonstrate a genuine issue of material fact that Ya Ya Logistics, Inc. infringed any alleged trademark of Opulent Treasures' either directly or indirectly.

Respectfully submitted:

ORBIT IP, LLP

Date: July 10, 2025

By: /s/ Marc Karish
Marc Karish
Attorneys for Defendant
YA YA LOGISTICS, INC.

CERTIFICATE OF SERVICE

A copy of Defendant Ya Ya Logistics, Inc.'s Separate Statement of Uncontroverted Facts and Conclusions of Law In Support of Its Motion for Summary Judgment was served upon the parties to this matter via the Court's CM/ECF system and via email on July 10, 2025.

/s/ Marc A. Karish